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AUG 04 2011

Magistrate Judge Brian A. Tsuchida

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY
BY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL R. MASTRO, and
LINDA A. MASTRO,

Defendants.

CASE NO. MJ11-367

COMPLAINT for VIOLATION

Title 18, U.S.C.
Sections 152, 157, and 2

BEFORE Brian A Tsuchida, United States Magistrate Judge, United States Courthouse,
Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(Bankruptcy Fraud - Scheme and Artifice to Defraud)

A. The Bankruptcy Process

1. Bankruptcy is a process by which debtors (those in bankruptcy) obtain relief from creditors (those who are owed money by the debtor). The process is designed to achieve orderly distributions to creditors from available assets truthfully disclosed and to provide a "fresh start" to honest debtors by allowing them to obtain a discharge of debt. The process is conducted in a Federal court and is governed by the Bankruptcy Code, which is found in Title 11 of the United States Code.

1 2. A bankruptcy case begins by the filing of a petition in bankruptcy by the
2 debtor or, in the case of involuntary bankruptcy, by creditors. Upon the filing of the
3 petition, a bankruptcy estate is created. A bankruptcy estate is a collective reference to all
4 of the debtor's assets and interests in assets. Under Chapter 7 of the Bankruptcy Code, a
5 trustee administers the case by liquidating the debtor's assets, or estate, to maximize
6 recovery for and create an orderly distribution to creditors.

7 3. Chapter 7 trustees generally act on behalf of unsecured creditors. Secured
8 creditors (those holding liens or mortgages) are typically represented by attorneys. A
9 Chapter 7 bankruptcy case is designed to liquidate all estate assets and distribute proceeds
10 they generate to creditors. A Chapter 7 debtor has a duty to cooperate with the trustee as
11 necessary to enable the trustee to perform his or her duties. A debtor also has a duty to
12 surrender to the trustee all property of the estate.

13 4. When a petition in bankruptcy is filed, the debtor is required to file certain
14 schedules, which include lists of assets and debts, as well as a Statement of Financial
15 Affairs. The debtor is required to sign the petition, schedules, and Statements of
16 Financial Affairs under penalty of perjury, declaring that the information in these
17 documents is true.

18 5. After a petition in bankruptcy is filed, the debtor also is required to attend a
19 Meeting of Creditors to testify in response to questions of the trustee and creditors about
20 the schedules and debtor's assets and financial affairs.

21 6. After a petition in bankruptcy is filed, the Chapter 7 trustee may file an
22 adversary proceeding within the bankruptcy to litigate and have adjudicated by a
23 United States Bankruptcy Judge any contested issues related to the bankruptcy estate and
24 the availability of assets for creditors. Within such adversary proceedings, parties to the
25 adversary proceeding may subpoena records and documentary evidence from the debtor
26 and third parties. Parties to the adversary proceeding also may subpoena individuals to
27 testify in depositions and during trial before a United States Bankruptcy Judge.
28

B. The Michael R. Mastro Bankruptcy

7 At all times material to this Complaint, MICHAEL R. MASTRO resided in the Western District of Washington. MICHAEL R. MASTRO was a real estate developer and hard money lender doing business in the state of Washington and elsewhere.

8 At all times material to this Complaint, LINDA A. MASTRO also resided in the Western District of Washington, and was married to MICHAEL R. MASTRO. As such, any community property owned by LINDA A. MASTRO and MICHAEL R. MASTRO would be subject to any bankruptcy proceeding against MICHAEL R. MASTRO.

9 9. At all times material to this Complaint, MICHAEL R. MASTRO and LINDA A. MASTRO were signatories to a bank account in the name of LCY LLC at JP Morgan Chase Bank. MICHAEL R. MASTRO and LINDA A. MASTRO opened this bank account on or about November 21, 2008, and used the account for personal and business expenses.

10 10. On July 10, 2009, three financial institutions filed an involuntary petition for relief in bankruptcy against MICHAEL R. MASTRO (the "Bankruptcy proceeding").

11 11. On August 20, 2009, MICHAEL R. MASTRO filed a consent to entry of order for relief under Chapter 7 of the Bankruptcy Code in connection with the Bankruptcy proceeding.

12 12. On August 21, 2009, the United States Bankruptcy Court for the Western District of Washington entered an order for relief and judgment granting the petition for involuntary Chapter 7 bankruptcy against MICHAEL R. MASTRO in the Bankruptcy proceeding.

13 13. On September 9, 2009, MICHAEL R. MASTRO filed bankruptcy schedules with the United States Bankruptcy Court for the Western District of Washington in the Bankruptcy proceeding. As required by the Bankruptcy Code, MICHAEL R. MASTRO signed the schedules under penalty of perjury. On October 21, 2009, MICHAEL R. MASTRO filed with the United States Bankruptcy Court for the

1 Western District of Washington amended bankruptcy schedules that were also signed
2 under penalty of perjury.

3 **C. The Charge**

4 14. Beginning on a date uncertain, but on or about September 9, 2009, and
5 continuing through on or about August 3, 2011, within the Western District of
6 Washington and elsewhere, MICHAEL R. MASTRO and LINDA A. MASTRO did
7 knowingly devise and attempt to devise, and execute and attempt to execute, a scheme
8 and artifice to defraud creditors in connection with the Bankruptcy proceeding by filing
9 materially false and fraudulent documents in a proceeding under Title 11, United States
10 Code, and by making materially false and fraudulent representations and claims
11 concerning and in relation to a proceeding under Title 11, United States Code, in violation
12 of Title 18, United States Code, Section 157 and Section 2.

13 15. The essence of the scheme to defraud was for MICHAEL R. MASTRO and
14 LINDA A. MASTRO to fail to disclose to the bankruptcy trustee and creditors, and
15 conceal from the bankruptcy trustee and creditors, assets including the bank account in
16 the name of LCY LLC at JP Morgan Chase Bank, for the purposes of using the assets,
17 including the funds in that account, for their own personal expenses and benefit without
18 authorization.

19 **D. Means and Methods**

20 16. It was part of the scheme and artifice to defraud that on or about
21 September 9, 2009, MICHAEL R. MASTRO failed to disclose the existence of the LCY
22 LLC bank account at JP Morgan Chase Bank in bankruptcy schedules filed in connection
23 with the Bankruptcy proceeding.

24 17. It was further part of the scheme and artifice to defraud that on or about
25 September 15, 2009, during a Meeting of Creditors in the Bankruptcy proceeding,
26 MICHAEL R. MASTRO falsely stated that the only bank account he had used since the
27 bankruptcy for his personal use was a bank account at Commerce Bank.
28

1 18. It was further part of the scheme and artifice to defraud that on or about
2 September 15, 2009, during a Meeting of Creditors in the Bankruptcy proceeding,
3 MICHAEL R. MASTRO falsely stated that LINDA A. MASTRO did not have any
4 accounts from which she paid bills, other than an account at U.S. Bank.

5 19. It was further part of the scheme and artifice to defraud that on or about
6 October 21, 2009, MICHAEL R. MASTRO failed to disclose the existence of the LCY
7 LLC bank account at JP Morgan Chase Bank in amended bankruptcy schedules filed in
8 connection with the Bankruptcy proceeding.

9 20. It was further part of the scheme and artifice to defraud that on or about
10 March 24, 2010, during a deposition under oath in connection with the Bankruptcy
11 proceeding, LINDA A. MASTRO falsely stated that prior to the bankruptcy, she did not
12 have signing authority for any bank account other than her account at U.S. Bank
13 (formerly Peoples National Bank).

14 21. It was further part of the scheme and artifice to defraud that on or about
15 May 24, 2010, in response to the trustee's request for a production of documents to
16 LINDA A. MASTRO, which requested complete records for each bank account for which
17 LINDA A. MASTRO was an authorized signer, LINDA A. MASTRO failed to produce
18 any records for the LCY LLC bank account at JP Morgan Chase Bank. Rather, LINDA
19 A. MASTRO stated that the only bank account held by her was a bank account at U.S.
20 Bank, although she also was a "signator" [sic] on MICHAEL R. MASTRO's bank
21 account at Commerce Bank.

22 22. It was further part of the scheme and artifice to defraud that after the
23 United States Bankruptcy Court for the Western District of Washington entered an agreed
24 order on or about March 29, 2010, which directed that MICHAEL R. MASTRO and
25 LINDA A. MASTRO shall take no action to transfer or encumber any asset of LCY LLC,
26 MICHAEL R. MASTRO and LINDA A. MASTRO continued to write checks and cause
27 checks to be written on the LCY LLC bank account at JP Morgan Chase Bank without
28 disclosing the existence of that bank account to the bankruptcy trustee or the creditors.

23. It was part of the scheme and artifice to defraud that between on or about September 9, 2009, and on or about April 28, 2010, MICHAEL R. MASTRO and LINDA A. MASTRO wrote checks or caused checks to be written from the LCY LLC account at JP Morgan Chase Bank for various personal expenses, in an amount totaling approximately \$285,000, including but not limited to checks written for credit card payments to American Express; automobile loan payments to Bank of America; car loan payments for a Bentley automobile and Rolls Royce automobile; payments for various household expenses; a payment for the purchase of over \$100,000 in gold; and payments for purchases from department stores including Macy's, Barney's, and Nordstrom. During the same time period, MICHAEL R. MASTRO also wrote checks from the LCY LLC account at JP Morgan Chase Bank directly to LINDA A. MASTRO in an amount totaling approximately \$18,000.

E. Execution of the Scheme and Artifice to Defraud

24. For the purpose of executing the aforementioned scheme and artifice to defraud creditors in connection with the Bankruptcy proceeding, within the Western District of Washington, MICHAEL R. MASTRO and LINDA A. MASTRO did make and caused to be made in the Bankruptcy proceeding the following false and fraudulent representations: (1) on or about October 21, 2009, MICHAEL R. MASTRO failed to disclose the existence of the LCY LLC bank account at JP Morgan Chase Bank in amended bankruptcy schedules filed under penalty of perjury in connection with the Bankruptcy proceeding, and thereby made and caused to be made a false and fraudulent representation in relation to the Bankruptcy proceeding, and (2) on or about March 24, 2010, during a deposition under oath in connection with the Bankruptcy proceeding, LINDA A. MASTRO falsely stated that prior to the bankruptcy, she did not have signing authority for any bank account other than her account at U.S. Bank (formerly Peoples National Bank).

All in violation of Title 18, United States Code, Sections 157 and 2.

COUNT TWO
(Bankruptcy Fraud - Concealment of Assets)

1. Paragraphs 1 through 23 of Count One above are incorporated herein by reference as if set forth in full.

2. Between on or about September 9, 2009, and on or about June 29, 2010, in the Western District of Washington, MICHAEL R. MASTRO and LINDA A. MASTRO, in a matter pending before the United States Bankruptcy Court for the Western District of Washington, did knowingly and fraudulently conceal and caused to be concealed from the trustee appointed pursuant to Title 11, United States Code, and from creditors, assets and property belonging to the bankruptcy estate, including the LCY LLC bank account at JP Morgan Chase Bank.

All in violation of Title 18, United States Code, Sections 152(1) and 2.

COUNT THREE
(Bankruptcy Fraud - False Oath or Account)

1. Paragraphs 1 through 23 of Count One above are incorporated herein by reference as if set forth in full.

2. On or about September 15, 2009, in the Western District of Washington, MICHAEL R. MASTRO, in a matter pending before the United States Bankruptcy Court for the Western District of Washington, knowingly and fraudulently made a material false oath and account in and in relation to a bankruptcy case under Title 11, United States Code, by stating during a Meeting of Creditors in the Bankruptcy proceeding that LINDA A. MASTRO did not have any accounts from which she paid bills, other than an account at U.S. Bank, when in truth and fact, as MICHAEL R. MASTRO then well knew, LINDA A. MASTRO had and used the LCY LLC bank account at JP Morgan Chase Bank to pay such bills.

All in violation of Title 18, United States Code, Section 152(2).

COUNT FOUR
(Bankruptcy Fraud - False Oath or Account)

1. Paragraphs 1 through 23 of Count One above are incorporated herein by reference as if set forth in full.

2. On or about March 24, 2010, in the Western District of Washington, LINDA A. MASTRO, in a matter pending before the United States Bankruptcy Court for the Western District of Washington, knowingly and fraudulently made a material false oath and account in and in relation to a bankruptcy case under Title 11, United States Code, by stating during a deposition under oath in the Bankruptcy proceeding that, prior to bankruptcy, she did not have any signing authority for any bank account other than her account at U.S. Bank (formerly Peoples National Bank), when in truth and fact, as LINDA A. MASTRO then well knew, she had signing authority for the LCY LLC bank account at JP Morgan Chase Bank.

All in violation of Title 18, United States Code, Section 152(2).

COUNT FIVE
(Bankruptcy Fraud - False Declaration Under Penalty of Perjury)

1. Paragraphs 1 through 23 of Count One above are incorporated herein by reference as if set forth in full.

2. On or about October 21, 2009, in the Western District of Washington, MICHAEL R. MASTRO, in a matter pending before the United States Bankruptcy Court for the Western District of Washington, knowingly and fraudulently made a material false declaration and statement under penalty of perjury in and in relation to a bankruptcy case under Title 11, United States Code, in that MICHAEL R. MASTRO filed with the Court an Amended Declaration Concerning Debtor's Schedules stating that his amended bankruptcy schedules were true and correct to the best of his knowledge, information, and belief, when in truth and fact, as MICHAEL R. MASTRO then well knew, the amended schedules failed to include the LCY LLC bank account at JP Morgan Chase Bank.

All in violation of Title 18, United States Code, Section 152(3).

COUNT SIX
(Bankruptcy Fraud - Unlawful Receipt of Debtor Property)

1. Paragraphs 1 through 23 of Count One above are incorporated herein by reference as if set forth in full.

2. On or about April 10, 2010, in the Western District of Washington, LINDA A. MASTRO, aided and abetted by MICHAEL R. MASTRO, in a matter pending before the United States Bankruptcy Court for the Western District of Washington, knowingly and fraudulently received a material amount of property from a debtor after the filing of a bankruptcy case under Title 11, United States Code, with intent to defeat the provisions of Title 11, in that, on or about that date, without authorization from the Court or bankruptcy trustee, LINDA A. MASTRO received and subsequently negotiated a check to her for \$14,000, signed by MICHAEL R. MASTRO, which was written on the LCY LLC bank account at JP Morgan Chase Bank.

All in violation of Title 18, United States Code, Sections 152(5) and 2.

And the complainant states that this Complaint is based on the following information:

I, MARK J. NAKATSU, being first duly sworn on oath, depose and say:

1. I graduated from the University of Washington with a Bachelor of Arts Degree in Business Administration, with a concentration in Accounting. Prior to being employed by the Federal Bureau of Investigation (FBI), I worked for three years as an accountant for the Boeing Company.

2. I have been employed as a Special Agent for the FBI for the past 23 years. For 20 of those years, I have investigated white collar crime matters. I was previously stationed at the FBI's Honolulu and Sacramento field offices prior to being transferred to the Seattle office in September 2008. I am currently assigned to a white collar crime squad and I am responsible for the investigation of various financial crimes, including mortgage fraud, health care fraud, investment fraud, and bankruptcy fraud.

1 3. The information contained herein is the result of my own knowledge,
2 investigation, and participation in the below described investigation, and information
3 communicated to me by other law enforcement officers with direct knowledge of these
4 events and by those with expertise in Bankruptcy proceedings. This affidavit is intended
5 to show merely that there is sufficient probable cause to support a criminal complaint and
6 arrest warrant, and does not purport to set forth all of my knowledge of, or investigation
7 into, this matter.

8 4. I have spoken to Celeste K. Miller, Regional Criminal Coordinator for the
9 U.S. Trustee Program in Boise, Idaho. She has advised me of the following:

10 a. Bankruptcy is a process by which debtors (those in bankruptcy)
11 obtain relief from creditors (those who are owed money by the debtor). The process is
12 designed to achieve orderly distributions to creditors from available assets truthfully
13 disclosed and to provide a "fresh start" to honest debtors by allowing them to obtain a
discharge of debt. The process is conducted in a Federal court and is governed by the
Bankruptcy Code, which is found in Title 11 of the United States Code.

14 b. A bankruptcy case begins by the filing of a petition in bankruptcy by
15 the debtor or, in the case of involuntary bankruptcy, by creditors. Upon the filing of the
16 petition, a bankruptcy estate is created. A bankruptcy estate is a collective reference to all
of the debtor's assets and interests in assets. Under Chapter 7 of the Bankruptcy Code, a
trustee administers the case by liquidating the debtor's assets, or estate, to maximize
recovery for and create an orderly distribution to creditors.

17 c. Chapter 7 trustees generally act on behalf of unsecured creditors.
18 Secured creditors (those holding liens or mortgages) are typically represented by
19 attorneys. A Chapter 7 bankruptcy case is designed to liquidate all estate assets and
20 distribute proceeds they generate to creditors. A Chapter 7 debtor has a duty to cooperate
with the trustee as necessary to enable the trustee to perform his or her duties. A debtor
also has a duty to surrender to the trustee all property of the estate.

21 d. When a petition in bankruptcy is filed, the debtor is required to file
22 certain schedules, which include lists of assets and debts, as well as a Statement of
23 Financial Affairs. The debtor is required to sign the petition, schedules, and Statements
of Financial Affairs under penalty of perjury, declaring that the information in these
documents is true.

24 e. After a petition in bankruptcy is filed, the debtor also is required to
25 attend a Meeting of Creditors to testify under oath in response to questions of the trustee
and creditors about the schedules and debtor's assets and financial affairs.

26 f. After a petition in bankruptcy is filed, the Chapter 7 trustee may file
27 an adversary proceeding within the bankruptcy to litigate and have adjudicated by a
28 United States Bankruptcy Judge any contested issues related to the bankruptcy estate and
the availability of assets for creditors. Within such adversary proceedings, parties to the
adversary proceeding may subpoena records and documentary evidence from the debtor

1 and third parties. Parties to the adversary proceeding also may subpoena individuals to
2 testify in depositions and during trial before a United States Bankruptcy Judge.

3 5. Through my investigation, I have learned that MICHAEL R. MASTRO
4 resided in the Western District of Washington. For more than two decades, MICHAEL
5 R. MASTRO was a real estate developer and hard money lender doing business in the
6 state of Washington and elsewhere. LINDA A. MASTRO also resided in the Western
7 District of Washington, and was married to MICHAEL R. MASTRO. I have been
8 advised by Celeste Miller that any community property owned by LINDA A. MASTRO
9 and MICHAEL R. MASTRO would be subject to any bankruptcy proceeding involving
10 MICHAEL R. MASTRO.

11 6. I have examined business records from JP Morgan Chase Bank that
12 establish that MICHAEL R. MASTRO and LINDA A. MASTRO were signatories to a
13 bank account in the name of LCY LLC at the bank. Business records from the bank
14 further establish that MICHAEL R. MASTRO and LINDA A. MASTRO opened this
15 bank account on or about November 21, 2008, and used the account for personal and
16 business expenses.

17 7. I have reviewed records from the U.S. Bankruptcy Court relating to the
18 MICHAEL R. MASTRO bankruptcy proceedings (the "Bankruptcy proceedings") and
19 learned the following:

20 a. On July 10, 2009, three financial institutions filed an involuntary
petition for relief in bankruptcy against MICHAEL R. MASTRO.

21 b. On August 20, 2009, MICHAEL R. MASTRO filed a consent to
22 entry of order for relief under Chapter 7 of the Bankruptcy Code in connection with the
Bankruptcy proceeding.

23 c. On August 21, 2009, the United States Bankruptcy Court for the
24 Western District of Washington entered an order for relief and judgment granting the
petition for involuntary Chapter 7 bankruptcy against MICHAEL R. MASTRO in the
25 Bankruptcy proceeding.

26 d. On September 9, 2009, MICHAEL R. MASTRO filed bankruptcy
27 schedules with the United States Bankruptcy Court for the Western District of
Washington in the Bankruptcy proceeding. As required by the Bankruptcy Code,
28 MICHAEL R. MASTRO signed the schedules under penalty of perjury. On October 21,
2009, MICHAEL R. MASTRO filed with the United States Bankruptcy Court for the

1 Western District of Washington amended bankruptcy schedules that were also signed
2 under penalty of perjury.

3 e. On September 9, 2009, MICHAEL R. MASTRO filed bankruptcy
4 schedules in connection with the Bankruptcy proceeding on which he failed to disclose
5 the existence of the LCY LLC bank account at JP Morgan Chase Bank.

6 f. On October 21, 2009, MICHAEL R. MASTRO filed amended
7 bankruptcy schedules in connection with the Bankruptcy proceeding on which he failed to
8 disclose the existence of the LCY LLC bank account at JP Morgan Chase Bank.

9 g. On May 24, 2010, in response to the trustee's request for a
10 production of documents to LINDA A. MASTRO, which requested complete records for
11 each bank account for which LINDA A. MASTRO was an authorized signer, LINDA A.
12 MASTRO failed to produce any records for the LCY LLC bank account at JP Morgan
13 Chase Bank. Rather, LINDA A. MASTRO stated that the only bank account held by her
14 was a bank account at U.S. Bank, although she also was a "signator" [sic] on MICHAEL
15 R. MASTRO's bank account at Commerce Bank.

16 h. The United States Bankruptcy Court for the Western District of
17 Washington entered an agreed order on or about March 29, 2010, which directed that
18 MICHAEL R. MASTRO and LINDA A. MASTRO shall take no action to transfer or
19 encumber any asset of LCY LLC.

20 8. I have reviewed transcripts of testimony given in the Bankruptcy
21 proceeding by MICHAEL R. MASTRO. His testimony included the following:

22 a. On or about September 15, 2009, during a Meeting of Creditors in
23 the Bankruptcy proceeding, MICHAEL R. MASTRO falsely stated that the only bank
24 account he had used since the bankruptcy for his personal use was a bank account at
25 Commerce Bank.

26 b. On or about September 15, 2009, during a Meeting of Creditors in
27 the Bankruptcy proceeding, MICHAEL R. MASTRO falsely stated that LINDA A.
28 MASTRO did not have any accounts from which she paid bills other than an account at
U.S. Bank.

9. I have reviewed transcripts of testimony given in the Bankruptcy
proceeding by LINDA A. MASTRO. Her testimony included the following:

a. On March 24, 2010, during a deposition under oath in connection
with the Bankruptcy proceeding, LINDA A. MASTRO falsely stated that prior to the
bankruptcy, she did not have signing authority for any bank account other than her
account at U.S. Bank (formerly Peoples National Bank).

10. I have reviewed additional business records from JP Morgan Chase Bank
relating to the LCY, LLC bank account. Those records reveal that MICHAEL R.
MASTRO and LINDA A. MASTRO continued to write checks and cause checks to be
written on the LCY LLC bank account at JP Morgan Chase Bank without disclosing the

1 existence of that bank account to the trustee or the creditors. Between on or about
2 September 9, 2009, and on or about April 28, 2010, MICHAEL R. MASTRO and
3 LINDA A. MASTRO wrote checks or caused checks to be written from the LCY LLC
4 account at JP Morgan Chase Bank for various personal expenses, in an amount totaling
5 approximately \$285,000, including but not limited to checks written for credit card
6 payments to American Express; automobile loan to Bank of America; car loan payments
7 for a Bentley automobile and Rolls Royce automobile; various household expenses; the
8 purchase of over \$100,000 in gold; and purchases from various department stores,
9 including Macy's, Barney's, and Nordstrom. During the same time period, MICHAEL R.
10 MASTRO also wrote checks from the LCY LLC account at JP Morgan Chase Bank
11 directly to LINDA A. MASTRO in an amount totaling approximately \$18,000.

12 11. I have also learned from the JP Morgan Chase Bank business records that
13 on April 10, 2010, LINDA A. MASTRO received and subsequently negotiated a check to
14 her for \$14,000, signed by MICHAEL R. MASTRO, which was written on the LCY LLC
15 bank account at JP Morgan Chase Bank.

16 12. I have reviewed the records of the Bankruptcy proceedings and found no
17 authorization from the Court or the trustee that permitted LINDA A. MASTRO to receive
18 a material amount of property from MICHAEL R. MASTRO and/or the LCY LLC bank
19 account after the commencement of the Bankruptcy proceeding.

20 13. Based on the above facts, I respectfully submit that there is probable cause
21 to believe that MICHAEL R. MASTRO and LINDA A. MASTRO did knowingly and
22 intentionally commit bankruptcy fraud, in violation of Title 18, United States Code,
23 Sections 157 and 2; concealment of assets in violation of Title 18, United States Code,
24 Sections 152(1) and 2; making false statements in violation of Title 18, United States

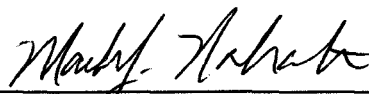
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1 Code, Sections 152(2), 152(3) and 2; and unlawfully receiving bankruptcy estate assets in
2 violation of Title 18, United States Code, Sections 152(5) and 2.

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5 MARK J. NAKATSU, Complainant
6 Special Agent, Federal Bureau of
Investigation

7 Based on the Complaint and Affidavit sworn to before me, and subscribed in my
8 presence, the Court hereby finds that there is probable cause to believe the defendants
9 committed the offenses set forth in the Complaint.

10 DATED this 4th day of August, 2011.

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12 
13 BRIAN A. TSUCHIDA
14 United States Magistrate Judge
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